

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date 10-03-07

Dept: CE88

Honorable

Judge

M. ARNOLD

Deputy Clerk

Honorable

SCOTT M. GORDON

Judge Pro Tem

R. WILLIAMS

Court Assistant

35

S. VARTAZAROV

Deputy Sheriff

GINGER WELKER, CSR#5585

Reporter

1:30 pm

BD455662

Consent For
Petitioner:

TROPE AND TROPE - By: SORRELL
TROPE and LORI A. HOWE and
TARA L. SCOTT (X)

Britney Spears (N/A)

VS.

Kevin Federline (X)

Consent For
Respondent:

KAPLAN & SIMON - By: MARK
VINCENT KAPLAN and JAMES M.
SIMON (X)

NATURE OF PROCEEDINGS: EX PARTE APPLICATION - FILED BY RESPONDENT

Matter is called for hearing.

Petitioner's oral motion pursuant to Section 214 F.C. is granted and the matter proceeds as a closed hearing.

The Court and all parties present confer on the record.

The Court makes the following findings pursuant to Family Code §3087. The Court made further specific factual findings pursuant to Family Code §3087 as are described in the transcript of these proceedings. Family Code §3087 provides that: An order for joint custody may be modified or terminated upon the petition of one or both parents or on the Court's own motion if it is shown that the best

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Counsel For
Petitioner:

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VS.

Counsel For
Respondent:

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SIMON (X)

Kevin Federline (X)

interest of the child requires modification or termination of the order. If either parent opposes the modification or termination order, the Court shall state in its decision the reasons for modification or termination of the joint custody order.

On August 8, 2007, the Respondent filed an Order to Show Cause Re:
Modification of Child Custody; Visitation; Injunctive Order, and Attorney Fees and Costs (Respondent's OSC).

A hearing on the Respondent's OSC was held on September 17, 2007.

Respondent's OSC was continued to November 28, 2007, at the Petitioner's request in order to complete a requested Child Custody Evaluation and to allow the parties to conduct discovery and other preparation for the hearing.

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1:30 pm	BD455662				
		Plaintiff	TROPE AND TROPE	By: SORRELL	
			TROPE and LORI A. HOWE and		
			TARA L. SCOTT (X)		
	Britney Spears (N/A)				
	VS.				
	Kevin Federline (X)	Respondent	KAPLAN & SIMON -	By: MARK	
			VINCENT KAPLAN and JAMES M.		
			SIMON (X)		

Based on the evidence presented by the parties in their respective pleadings and during the course of the hearing, the Court made certain orders pursuant to Family Code §3022 (Family Code §3022 provides: The Court may, during the pendency of a proceeding or at any time thereafter, make an order for the custody of a child during minority that seems necessary or proper.)

On September 17, 2007, the Court made certain specific orders with regard to the minor children. The September 17, 2007, orders provided:

The Court makes the following interim orders pursuant to Family Code Section 3022. These orders are made without prejudice pending the child custody evaluation and the full hearing on the Respondent's Order to Show Cause Re: Modification of Child Custody and Visitation.

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1:30 pm	BD455662				
		Counsel For Petitioner:			TROPE AND TROPE - By: SORRELL TROPE and LORI A. HOWE and TARA L. SCOTT (X)
	Britney Spears (N/A)				
	VS.				
	Kevin Federline (X)	Counsel For Respondent:			KAPLAN & SIMON - By: MARK VINCENT KAPLAN and JAMES M. SIMON (X)

*For purposes of clarification the minor children referred to in these orders are
Sean Preston Federline, Birth Date: 09-14-05; Jayden James Federline, Birth
Date: 09-12-06.*

*Counsel have met and conferred with regard to selecting a Child Custody
Evaluator and have been unsuccessful. Counsel for respondent has previously
submitted his list of proposed evaluators. Counsel for petitioner is directed to
submit a listing of three proposed evaluators within 24 hours of this date and the
Court will make the determination.*

*Counsel are ordered to forward a copy of the orders issued this date to the Child
Custody Evaluator.*

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1:30 pm BD455662 Britney Spears (N/A) VS. Kevin Federline (X)	Counsel For Plaintiff:	TROPE AND TROPE By: CORRELL TROPE and LORI A. HOWE and TARA L. SCOTT (X)
	Counsel For Respondent:	KAPLAN & SIMON - By: MARK VINCENT KAPLAN and JAMES M. SIMON (X)

The Court declines to modify the existing custodial timeshare.

The parties' stipulated custodial arraignment as set forth in the Second Further Judgment, remains in full force and effect with the following terms and conditions imposed.

Neither party shall remove the minor children from the State of California, absent the prior written consent of the other parent or prior order of the Court. In all instances of out of state travel with the minor children, whether through stipulation of the parties or prior order of the Court, the party removing the child from the state shall provide the other parent with a full itinerary, complete with all addresses and telephone numbers for the location(s) of where the children will be staying for the